

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: David W. Moskowitz	:	Examiner: Michel Graffeo
	:	
Serial No.: 10/820,479	:	Group Art Unit: 1614
	:	
Filed: March 31, 2004	:	Attorney Docket No.: 58134.3
	:	
For: USE OF ANGIOTENSIN RECEPTOR: BLOCKERS (ARBs) TO TREAT DISEASES ASSOCIATED WITH EXCESS ACE	:	Customer No.: 27128 Confirmation No.: 7392
	:	
Last Office Action: April 13, 2006	:	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated April 13, 2006, as well as the personal telephone interview between Examiner Graffeo and Applicant's Representative Sarah Vaz on May 30, 2006, and within the fourth month for responding thereto and upon payment of the appropriate extension fee, as noted in the accompanying Petition For Extension of Time Under 37 CFR 1.136(a), Applicants hereby elect for prosecution at this time Group III claims 6-7, drawn to a method for treating viral disease.

The election of the Group III claims is made with traverse without prejudice to the elected Group III claims and without prejudice to the non-elected Groups.

Application of: David W. Moskowitz
Serial No.: 10/820,479
Response to Restriction Requirement

In response to the requirement for election of a species of the active agent (angiotensin receptor blocker), Applicant provisionally elects with traverse the species of Losartan as disclosed in the specification.

Reconsideration and withdrawal of the requirement for restriction are respectfully requested. The Applicant contends that Groups I-VI are closely related and have a common utility. The Applicant further contends that the Groups I-VI claims don't pose a serious burden for the examiner by requiring separate searches.

Because Applicant may wish to pursue claims of the non-elected Groups at a later date by Divisional Application, if necessary, it is requested that these claims, pursuant to 37 CFR 1.142, be permitted to remain in the application, but withdrawn from examination.

This response does not present any new matter. Accordingly, as all requirements of the Action have been complied with, an action on the merits and a Notice of Allowance are hereby respectfully solicited.

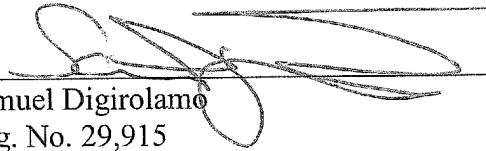
If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Application of: David W. Moskowitz
Serial No.: 10/820,479
Response to Restriction Requirement

Respectfully submitted,

Date: _____

JUN 06



Samuel Digirolamo

Reg. No. 29,915

Blackwell Sanders Peper Martin LLP

720 Olive Street, Suite 2400

St. Louis, MO 63101

314-345-6000

ATTORNEYS FOR APPLICANT